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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMADI NWOKOCHA
9824 Matzon Road
Baltimore, MD 21220

Plaintiff,

V.

KALICO EXPORTS, INC.
7107 Commercial Avenue
Baltimore, MD 21237

CP SHIPS
399 Hoes Lane
Piscataway, NJ 08854

HAPAG-LLOYD (AMERICA) INC.
399 Hoes Lane
Piscataway, NJ 08854

HAPAG-LLOYD AG
Ballindamm 25
20095 Hamburg

Defendants.

Civil Action 07 CV 8597

**DEFENDANTS CP SHIPS, HAPAG-
LLOYD (AMERICA) INC. AND
HAPAG-LLOYD AG NOTICE OF
MOTION TO DISMISS ORIGINAL
COMPLAINT AS TIME-BARRED**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and the pretrial scheduled for December 10, 2007, Defendants CP Ships, Hapag-Lloyd (America) inc. and Hapag-Lloyd AG will move this Court before the Honorable Shira A. Scheindlin on February 29, 2008 at 10:00 a.m. in Room 1620 of the United States Courthouse at 500 Pearl Street, New York, New York

for an Order dismissing Plaintiff's action against the moving Defendants pursuant to the Statute of Limitation under COGSA as contracted for in the terms and condition of the contract of carriage and such other and further relief as the Court may deem just and proper.

Dated: New York, New York
January 30, 2008

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP

By: / s / Stephen H. Vengrow
Stephen H. Vengrow (SHV/3479)
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CERTIFICATE OF SERVICE BY ECF AND BY REGULAR U.S. MAIL

The undersigned declares under penalty of perjury that the following is true and correct:

1. I am over the age of eighteen years and I am not a party to this action.
2. On January 30, 2008, I served a complete copy of :

Defendants CP Ships, Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG's Notice of Motion to Dismiss Original Complaint as Time-barred

Rule 56.1 Statement of Facts in Support of CP Ships, Hapag-Lloyd (America) Inc. and Hapag-Lloyd AG's Motion to Dismiss the Plaintiff's Complaint as Time Barred

Memorandum of Law of Defendants CP ships, Hapag-Lloyd (America) Inc. and Hapag Lloyd AG in support of their motion for Summary Judgment Dismissing the Original Complaint as Time Barred.

Declaration of Stephen H. Vengrow

Declaration of Arne Klockmann

Declaration of Susanne Rechenbach

Declaration of Fabio Duarte

by ECF to the following attorneys at their ECF registered address and by regular U.S. mail at the following addresses:

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/ s / Patrick Michael Decharles, II
Patrick Michael DeCharles, II (PMD/9984)

Dated: January 30, 2007
New York, New York